

KAYE, SCHOLER, FIERMAN, HAYS & HANDLER

THE MCPHERSON BUILDING
901 FIFTEENTH STREET, N.W., SUITE 1100
WASHINGTON, D.C. 20005-2327

425 PARK AVENUE
NEW YORK, NY 10022-3598
(212) 836-8000
1999 AVENUE OF THE STARS
SUITE 1600
LOS ANGELES, CA 90067-6048
(310) 788-1000
SQUARE DE MEEÛS 30
1040 BRUSSELS, BELGIUM
(322) 514-4300

(202) 682-3500

FACSIMILE
(202) 682-3580

18TH FLOOR
NINE QUEEN'S ROAD CENTRAL
HONG KONG
(852) 845-8989

SCITE TOWER, SUITE 708
22 JIANGUOMENWAI DAJIE
BEIJING
PEOPLE'S REPUBLIC OF CHINA
(861) 512-4755

FACSIMILE
NEW YORK (212) 836-8689
WASHINGTON (202) 682-3580
LOS ANGELES (310) 788-1200
BRUSSELS (322) 514-4437
HONG KONG (852) 845-3682
BEIJING (861) 512-4760

WRITER'S DIRECT DIAL NUMBER

(202) 682-3526

August 9, 1993

RECEIVED

AUG - 9 1993
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

Re: MM Docket No. 93-178
Howard B. Dolgoff
(File No. BPH-911223ME)

Dear Mr. Caton:

Submitted herewith for filing, on behalf of our client, Howard B. Dolgoff, an applicant in the above-referenced comparative hearing proceeding (MM Docket No. 93-178), are an original and six (6) copies of his Proof of Publication in the proceeding. Kindly refer this submission to Administrative Law Judge John M. Frysiak.

Please direct any inquiries concerning this submission to the undersigned.

Respectfully submitted,

KAYE, SCHOLER, FIERMAN, HAYS &
HANDLER

By: 
Irving Gastfreund

Enclosures

RECEIVED

BEFORE THE

Federal Communications Commission

AUG - 9 1993

WASHINGTON, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re Applications of)	MM Docket No. 93-178
)	
HOWARD B. DOLGOFF and)	File No. BPH-911223ME
)	
MARK AND RENEE CARTER)	File No. BPH-911224MD
)	
For a Construction Permit For a)	
New FM Radio Station on Channel)	
292A in Miramar Beach, Florida)	

TO: Administrative Law Judge John M. Frysiak**PROOF OF PUBLICATION**

HOWARD B. DOLGOFF ("Dolgoff"), by his attorneys, pursuant to Section 73.3594(g) of the Commission's Rules, hereby submits proof of his publication of the requisite Public Notice of the designation for hearing of this comparative proceeding. The enclosed documentation consists of an Affidavit of Publication, setting forth the dates on which the Public Notice was published in a newspaper, the name of the newspaper in which the Notice was published, and the text of the Notice.

Respectfully submitted,

HOWARD B. DOLGOFF

By: 

Irving Castfreund

Kaye, Scholer, Fierman, Hays &
Handler
The McPherson Building
901 15th Street, N.W., Suite 1100
Washington, D.C. 20005

His Attorneys

August 9, 1993

The Destin Log

1225 Airport Road
P. O. Box 957
Destin, FL. 32541
Destin, Okaloosa County, Florida

State of Florida County of Okaloosa

Before the undersigned authorized personally appeared
Susan Moon Sanders, who on oath says that
(s)he is Advertising Manager of the DESTIN LOG,
a newspaper published twice a week at Destin, in Okaloosa
County, Florida, and that the attached copy of advertisement,
being a Legal Notice in the matter of Legal #30714

in the _____ Court, was published in said
newspaper in the issues of:

17th day of July 19 93
21st day of July 19 93
24th day of July 19 93
28th day of July 19 93

Affiant further says that the said Destin Log is a newspaper
published at Destin, in Okaloosa County, Florida, and that the
said newspaper has heretofore been continuously published in
said Okaloosa County, Florida, for a period of one year preced-
ing the first publication of the attached copy of advertisement,
and affiant further says that he neither paid nor promised any
person, and affiant corporation any discount, rebate commis-
sion or refund for the purpose of securing this advertisement for
publication in said newspaper.

Susan Moon Sanders

Sworn to and subscribed before me this 28
day of July, A.D., 19 93

Isaac A. Becklund

Notary Public, State of Florida At Large

My Commission expires _____ day of

Notary Public, State of Florida _____, A.D., 19 _____
My Commission Expires Oct. 17, 1995

Bonded Thru Troy Fain - Insurance Inc.

Leg. 30714

LOCAL NOTICE OF HEARING

The Federal Communications Commission has designated the applications of Howard B. Dolgoff and Mark and Renee Carter for a hearing to decide the permittee of construction permit for a new FM broadcast station to operate on Channel 292A at Miramar Beach, Florida.

The hearing will take place at the offices of the Federal Communications Commission in Washington, D.C., on October 26, 1993. The issues in the hearing are as follows:

1. To determine whether there is a reasonable possibility that the tower height and location proposed by Dolgoff would constitute a hazard to air navigation.
2. To determine which of the proposals would, on a comparative basis, best serve the public interest.
3. To determine, in light of the evidence adduced pursuant to the specified issues, which of the applications should be granted, if any.

A copy of Howard B. Dolgoff's application, amendments and related material are on file for public inspection at Hidden Dunes Sales Office, 5394 East Highway 98, Miramar Beach, Florida.

CERTIFICATE OF SERVICE

I, Mary Odder, a secretary with the law firm of Kaye, Scholer, Fierman, Hays & Handler, hereby certify that on this 9th day of August, 1993, have caused a copy of the foregoing "Proof Of Publication" to be hand-delivered or to be sent via first-class United States mail, postage prepaid, to the following:

Honorable John M. Frysiak*
Administrative Law Judge
Federal Communications Commission
2000 L Street, N.W.
Room 223
Washington, D.C. 20554

Paulette Laden, Esq.*
Hearing Branch, Enforcement Division
Mass Media Bureau
Federal Communications Commission
2025 M Street, N.W.
Room 7212
Washington, D.C. 20554

Chief Counsel, AGC 230
Federal Aviation Administration
800 Independence Avenue, S.W.
Washington, D.C. 20591

Frank J. Martin, Jr., Esq.*
Elizabeth C. Buckingham, Esq.
Southerland, Asbill & Brennan
1275 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2404
Counsel for Mark and Renee Carter


Mary Odder

*/ Via Hand-Delivery